

PUBLIC NOTICE

**US Army Corps
of Engineers®**

APPLICATION FOR PERMIT

Public Notice/Application No.: 2003-00451-CJL

Comment Period: September 28, 2004 through October 26, 2004

Applicant

Arizona Department of Transportation
Richard Powers
Globe District Engineer
Hwy 60, P.O. Box 2717
Globe, Arizona 85502
(520) 425-7638

AGENT

Arizona Department of Transportation
Tom Molt
205 South 17th Avenue
Phoenix, Arizona 85007
(602) 712-6161

Location

The transportation project is located on SR 188 from milepost (MP) 214.98 to MP 218.80. The beginning of the project is at the junction of SR 188 and US 60 in Claypool (Sections 4, 5, 9, 16, and 21 of T1N, R15E), Gila County, Arizona. The project area is adjacent to a majority of privately owned land while a small portion is publicly owned and managed by the USDA, National Forest Service, Tonto National Forest, Globe Ranger District.

Activity

The Arizona Department of Transportation (ADOT) is proposing to widen SR 188 from 2 to 4 lanes from milepost (MP) 214.94 to MP 218.80. The improvements are needed to improve the operational and safety problems on this route to accommodate the increase in future traffic volumes. The work will consist of excavating and filling watercourses as needed to install bank protection within a portion of Pinal Creek, widen and scour retrofit the bridge at Miami Wash and install concrete box culverts and corrugated metal pipe culverts along with their associated aprons, headwalls, wingwalls, energy dissipators, riprap and embankment fill. Portions of waters of the U.S. will be permanently filled with concrete, embankment fill, corrugated metal pipes, aprons, headwalls, wingwalls and energy dissipators. Staging area and material stockpiles may be temporarily located within the washes or floodplains. The project will be constructed within designated ADOT right-of-way. For more information, see page 3 of this notice and attached drawings.

Interested parties are hereby notified that an application has been received for a Department of the Army permit for the activity described herein and shown on the attached drawing(s). Interested parties are invited to provide their views on the proposed work, which will become a part of the record and will be considered in the decision. This permit application will be issued or denied under Section 404 of the Clean Water Act (33 U.S.C. 1344).

Comments can be e-mailed to Dana Owsiany, Dana.L.Owsiany@spl01.usace.army.mil or mailed to:

**U. S. Army Corps of Engineers
ATTENTION: Regulatory Branch (2003-00451-CJL)
3636 North Central Avenue, Suite 900
Phoenix, Arizona 85012-1939**

Evaluation Factors

The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit, which reasonably may be expected to accrue from the proposal, must be balanced against its reasonably foreseeable detriments. All factors, which may be relevant to the proposal, will be considered including the cumulative effects thereof. Factors that will be considered include conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food production and, in general, the needs and welfare of the people. In addition, if the proposal would discharge dredged or fill material, the evaluation of the activity will include application of the EPA Guidelines (40 CFR 230) as required by Section 404 (b)(1) of the Clean Water Act.

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

Preliminary Review of Selected Factors

EIS Determination- a preliminary determination has been made that an environmental impact statement is not required for the proposed work.

Water Quality- The applicant will be required to obtain water quality certification, under Section 401 of the Clean Water Act, from the Arizona Department of Environmental Quality and/or the U.S. Environmental Protection Agency. For any proposed activity on Tribal land that is subject to Section 404 jurisdiction, the applicant will be required to obtain water quality certification from the U.S. Environmental Protection Agency. For any proposed activity on land other than Tribal land that is subject to Section 404 jurisdiction, the applicant will be required to obtain water quality certification from the Arizona Department of Environmental Quality. Section 401 of the Clean Water Act requires that any applicant for an individual Section 404 permit provide proof of water quality certification to the Corps of Engineers.

Cultural Resources- The Tonto National Forest, Federal Highways Administration, Arizona Department of Transportation and the State Historic Preservation Office have entered into a Programmatic Agreement dated August 9, 1995 for the treatment of cultural resources, which satisfies Section 106 responsibilities for all aspects of the project. The Area of Potential Effect for the proposed project does not include any properties listed or eligible for listing on the National Register of Historic Places or the National Register of Natural Landmarks. Since no historic properties were found no additional coordination is required by Section 106 of the National Historic Preservation Act.

Endangered Species- No proposed endangered or threatened species or their critical habitat occurs within the project area, and therefore no formal or informal consultation is necessary.

Public Hearing- Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearing shall state with particularity the reasons for holding a public hearing.

Proposed Activity for Which a Permit is Required

Construction of proposed bank protection, widening and scour retrofitting of the Miami Wash Bridge, concrete box culverts and corrugated metal pipe will fill waters of the U.S. with concrete, embankment fill, corrugated metal pipes, aprons, headwalls, wingwalls and energy dissipators. This construction will permanently impact 4.42 acres of waters of the U.S. Up to 1.01 acres of the project will be temporarily disturbed by staging and stockpile areas. Therefore, the total maximum impact to waters of the U.S. is 5.43 acres.

Additional Project Information

Drainage modifications are located within the existing ADOT right-of-way. All work, including staging, will occur within the ADOT right-of-way. Staging areas and material stockpiles may be temporarily located within waters of the U.S.

The proposed project will require approximately 5,038 cubic yards of excavation, 280 cubic yards of concrete, 1,328 cubic yards of backfill and 474 cubic yards of riprap material placed into waters of the U.S. No asphalt or construction waste material of any kind will be used in the embankment fill, and no debris generated from the construction activities will be allowed to remain within the washes after construction is completed.

Native materials excavated on site will be used as backfill or as a part of roadway embankment. The excavated material used as fill will be compacted to preconstruction density using conventional equipment (e.g. rubber-tired and tracked vehicles).

The project is located in semidesert grassland and interior chaparral ecosystems. The sloped banks of Miami Wash, Pinal Creek and 45 unnamed washes would be regraded and hydroseeded with native plants indigenous to the area and create habitat as a part of this project. The unnamed washes are tributaries to Miami Wash and Pinal Creek. Miami Wash is a tributary to Pinal Creek that is a tributary to the Salt River that is a tributary to the Gila River that is a tributary to the Colorado River.

Due to the limited opportunities for in-kind habitat replacement, ADOT will restore available watercourses to pre-construction grades, reseed and provide payment to the Arizona Deer Association to mitigate for permanent loss to waters of the U.S. within the project area in the amount of \$44,200. The proposed mitigation plan would permit the Arizona Deer Association to construct water catchments to serve as wildlife drinkers. The water catchment devices will be installed prior to the completion of construction. Additionally, a mitigation monitoring report will be submitted for approval by the Corps, which will include post construction photos of the water catchments.

Construction is currently scheduled for May 2005 and will end in May 2007.

For additional information please call Dana Owsiany P.E. at (602) 640-5385, x254. This public notice is issued by the Chief, Regulatory Branch.

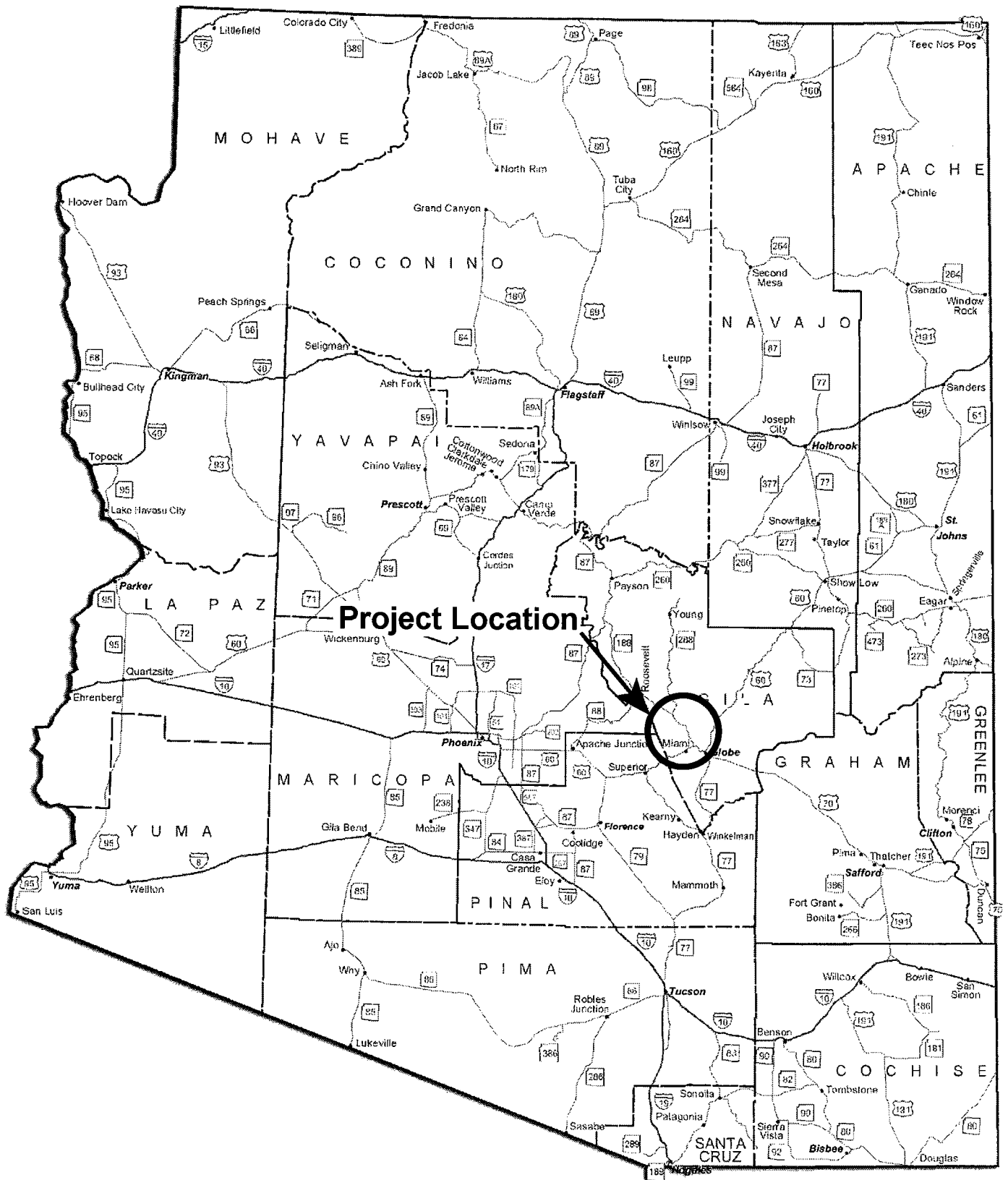
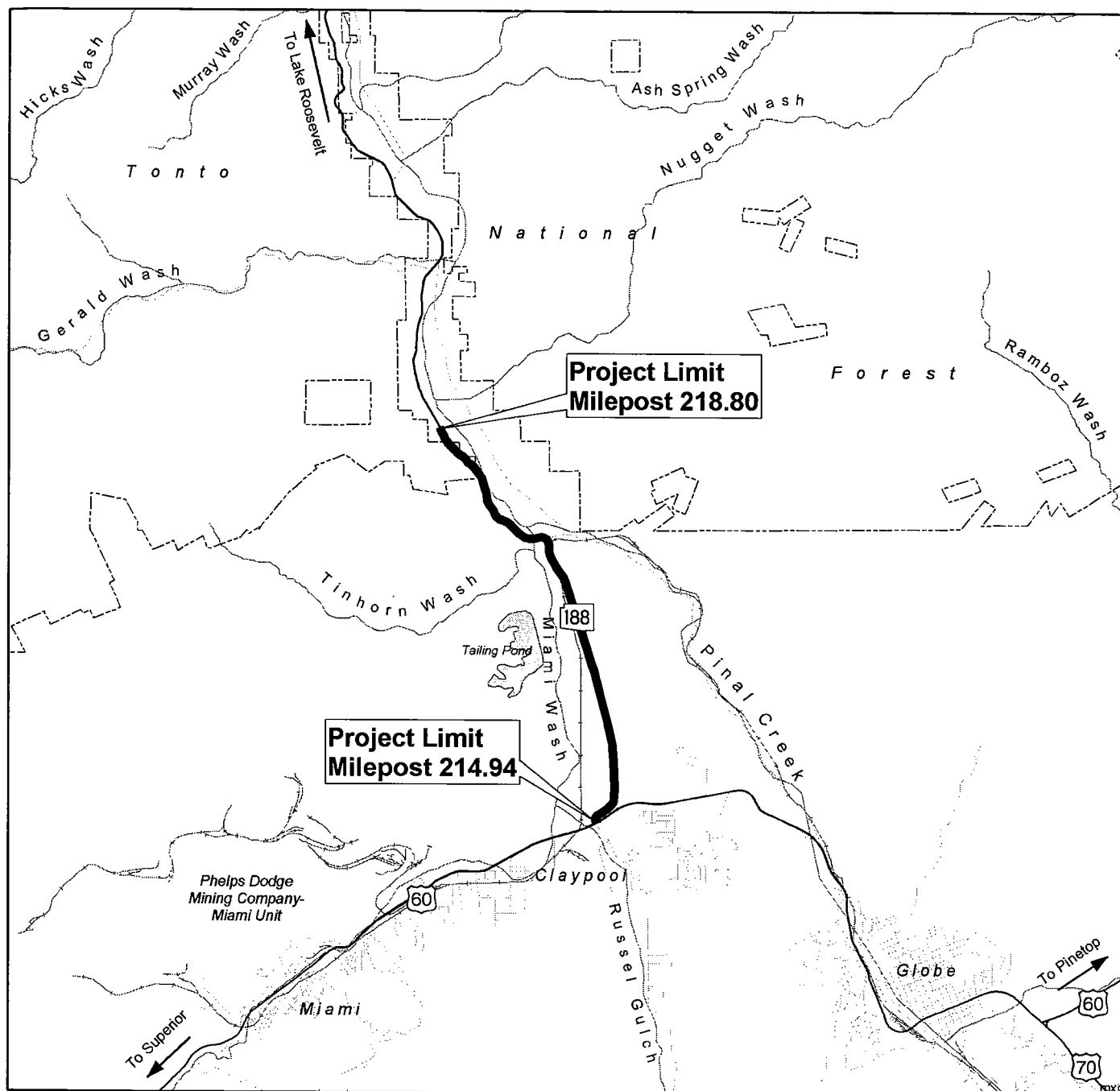


Figure 1. State Location Map

SR 188, Wheatfields to US 60
 USACE File No.: 2003-00451-CJL
 TRACS No.: 188 GI 214 H6155 01C
 ADOT Project No.: STP-188-A(001)P

June 2004



Key

- Project Area
- Tonto National Forest

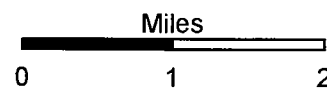
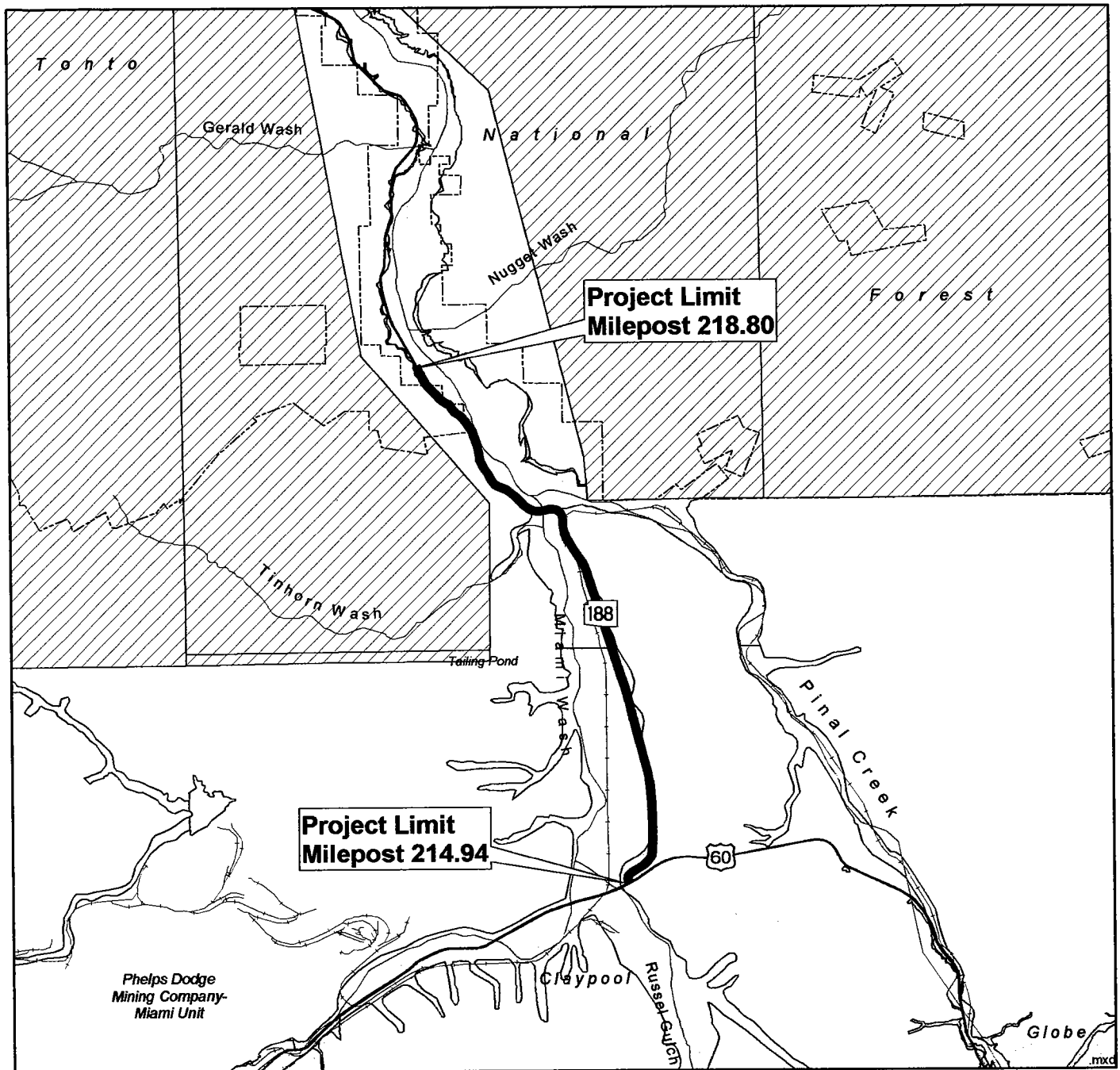


Figure 2. Project Vicinity Map

SR 188, Wheatfields to US 60
 USACE File No.: 2003-00451-CJL
 TRACS No.: 188 GI 214 H6155 01C
 ADOT Project No.: STP-188-A(001)P

June 2004



Key

- Project Area
- 100-year Floodplain
- 500-year Floodplain
- >500-year Floodplain
- No Data

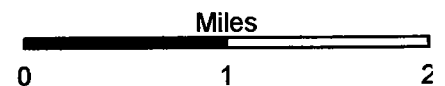


Figure 3. Floodplain Illustration

SR 188, Wheatfields to US 60
 USACE File No.: 2003-00451-CJL
 TRACS No.: 188 GI 214 H6155 01C
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June 2004

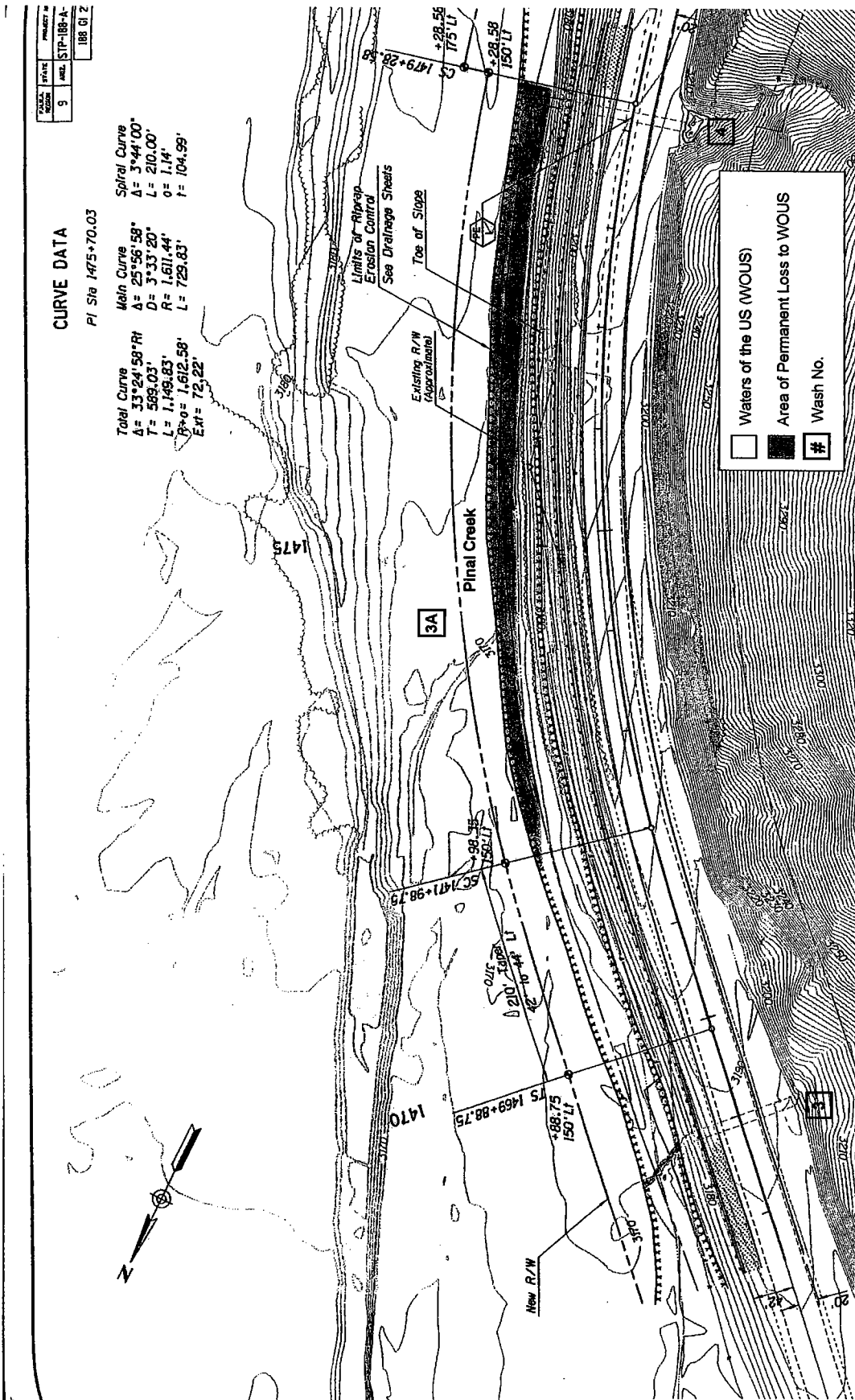


Figure 5c. Area of Permanent Loss

SR 188, Wheatfields to US 80
 USACE File No.: 2003-00451-CUL
 TRACS No.: 188 GI 214 H6195 01C
 ADOT Project No.: STP-188-A(001)P

June 2004

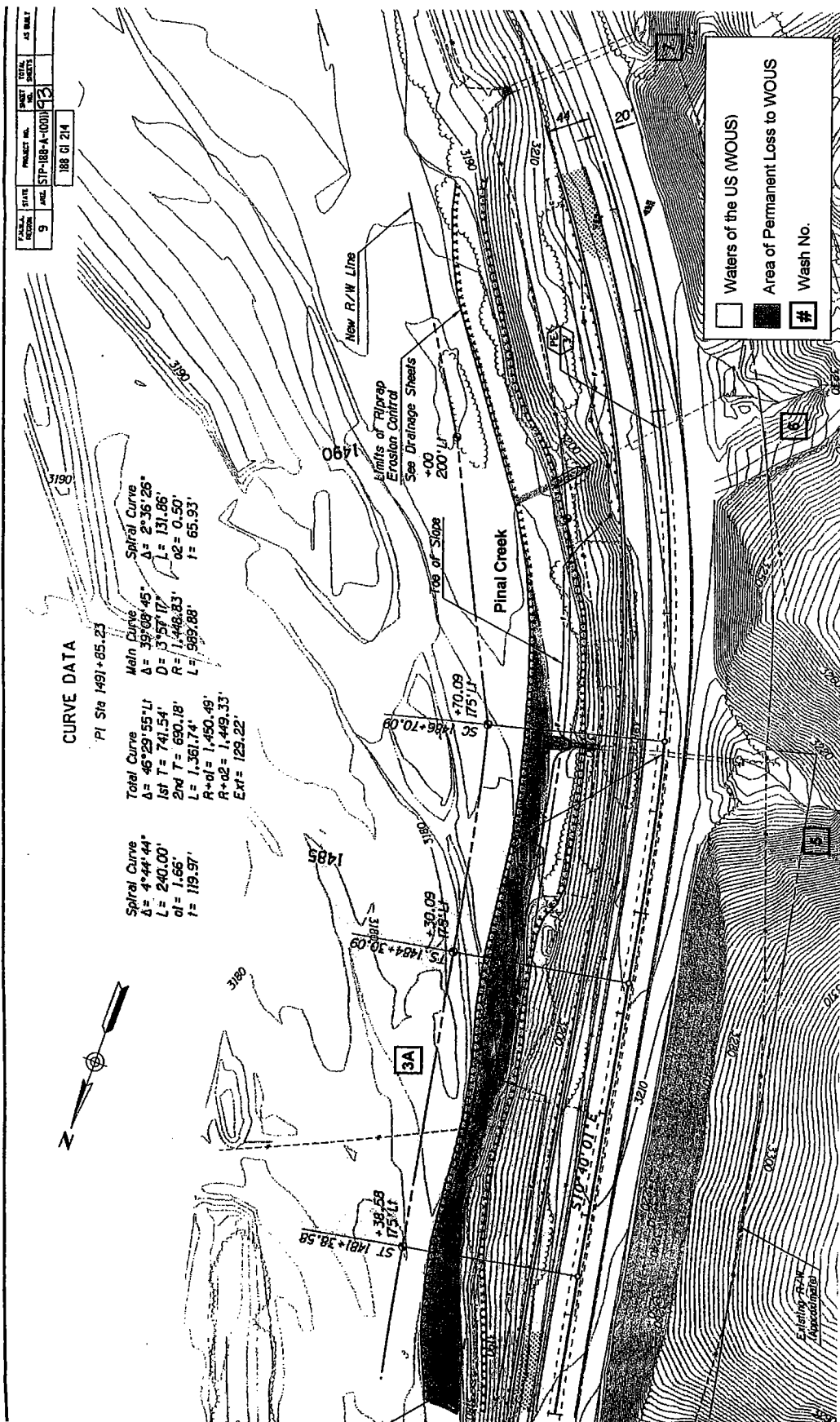
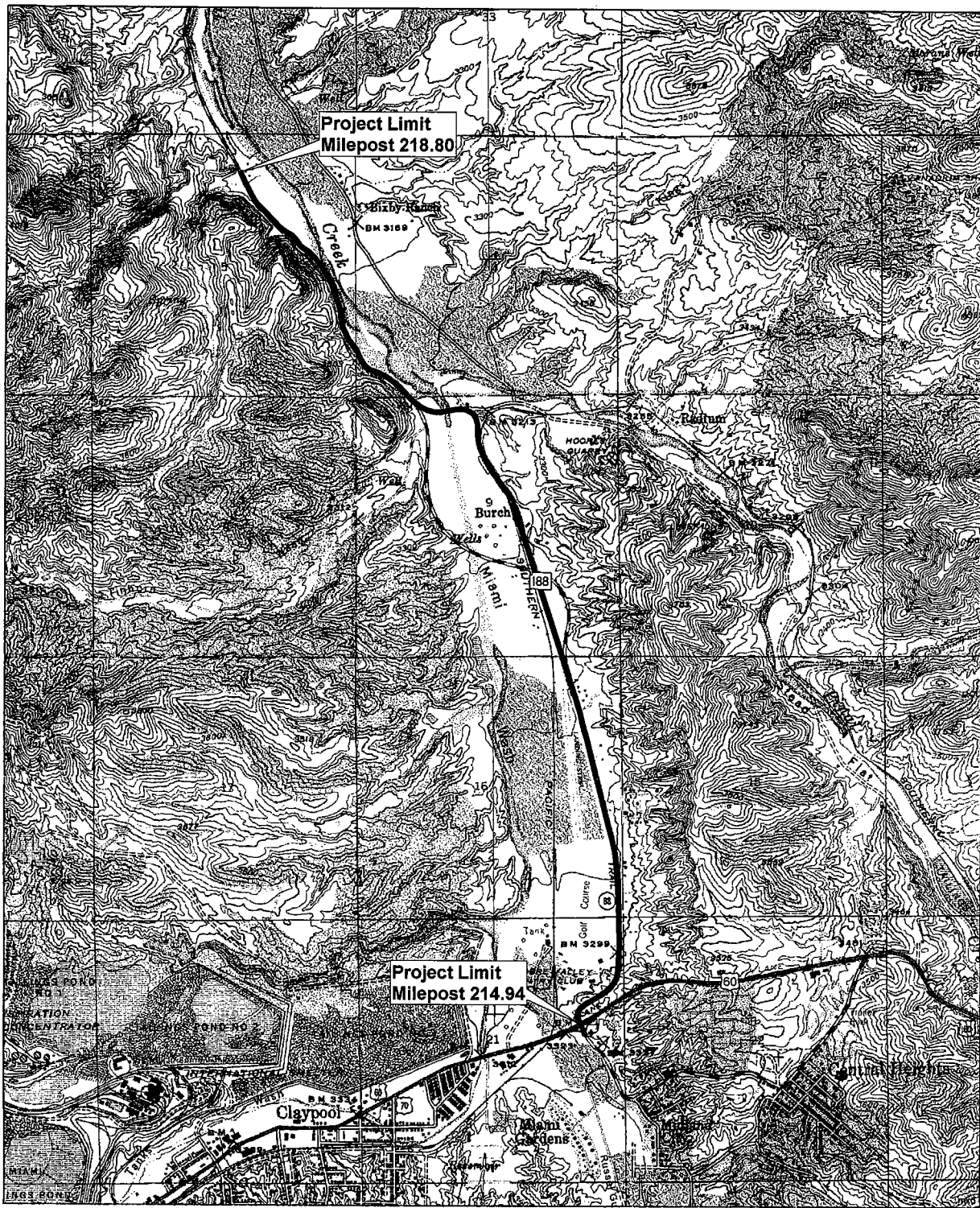


Figure 5d. Area of Permanent Loss

SSR 188, Wheatfields to US 60
USACE File No.: 2003-00451-CJL
TTRACS No.: 188 GI 214 H6155 01C
ADOT Project No.: STP-188-A(001)P



Key

Project Area

Miles
0 1



Figure 4. State Location Map

SR 188, Wheatfields to US 60
USACE File No.: 2003-00451-CJL
TRACS No.: 188 GI 214 H6155 01C
ADOT Project No.: STP-188-A(001)P

June 2004

Wash No.	Wash Name	Centerline Station	Station Range	Salvage Size	Salvage Type	Jurisdictional Width (feet)	Affected Wash Length (feet)	Area of Permanent Loss (acre)	Area of Temporary Disturbance (acre)	Comments
28	Unnamed	216.18	1588+20	24"	CMP	12	140	0.04	0.01	
29	Unnamed	216.12	1591+00	3-42"	CMP	30	90	0.06	0.03	
30	Unnamed	215.98	1602+00 to 1604+00	65"	CMP	12	200	0.06	0.01	
31	Unnamed	215.84	1606+15	36"	CMP	8	70	0.01	0.01	
31A†	Unnamed	216.30 to 215.84	1581+25 to 1606+15	None	None	8	2490	0.46	0.01	
32	Unnamed	215.81	1607+75	3-36"	CMP	30	30	0.02	0.03	
33	Unnamed	215.76	1610+15	3-36"	CMP	24	30	0.02	0.02	
34	Unnamed	215.75	1610+85 to 1637+90	None	None	12	3000	0.82	0.01	Concrete-lined ditch
35	Unnamed	215.67	1615+15	36"	CMP	12	40	0.01	0.01	
36	Unnamed	215.62	1617+70	30"	CMP	6	55	0.01	0.01	
37	Unnamed	215.57	1619+00	24"	CMP	0	0	0.00	0.00	
38	Unnamed	215.54	1621+70	3-36"	CMP	30	93	0.06	0.03	
39	Unnamed	215.49	1624+53	2-30"	CMP	12	155	0.04	0.01	
40	Unnamed	215.40	1629+15	None	None	10	0	0.00	0.01	
41	Unnamed	215.38	1630+05	2-48"	CMP	13	45	0.01	0.01	
42	Unnamed	215.32	1633+50	2-30"	CMP	9	60	0.01	0.01	
43	Unnamed	215.18	1640+95	36"	CMP	15	45	0.02	0.01	
44	Unnamed	215.09	1645+80	30"	CMP	6	0	0.00	0.01	
45	Unnamed	215.04	1648+20	30"	CMP	6	0	0.00	0.01	
Total							0	4.42	1.01	

† Wash number designation not included in original approved jurisdictional delineation

Table 1. Wash Summary

SR 188, Wheatfields to US 60
USACE File No.: 2003-00451-CJL
TRACS No.: 188 GI 214 H6155 01C
ADOT Project No.: STP-188-A(001)P

Wash No.	Wash Name	Approximate Mile Post	Station No.	Culvert Size	Culvert Type	Jurisdictional Width (feet)	Affected Wash Length (feet)	Area of Permanent Loss (acres)	Area of Temporary Disturbance (acres)	Environment
1	Unnamed	218.78	1450+50	4'-3"x5'	CBC ¹	30	0	0.00	0.03	
2	Unnamed	218.58	1461+32	3'-36"	CMP ²	27	0	0.00	0.02	
3	Unnamed	218.45	1468+00	2'-30"	CMP	15	50	0.02	0.01	
3A [†]	Pinal Creek	218.45 to 217.90	1467+30 to 1490+00	NA ³	NA	35	1600	1.29	0.03	
4	Unnamed	218.24	1479+15	2'-36"	CMP	0	36	0.00	0.00	
5	Unnamed	218.10	1486+58	48"	CMP	24	55	0.03	0.02	
6	Unnamed	218.04	1489+80	36"	CMP	18	80	0.03	0.02	
7	Unnamed	217.97	1493+50	84"	CMP	20	81	0.04	0.02	
8	Unnamed	217.75	1505+00	36"	CMP	9	26	0.01	0.01	
9	Unnamed	217.70	1508+00	None	None	9	400	0.08	0.01	Concrete-lined ditch
10	Unnamed	217.57	1514+48	3'-5"x10'	CBC	45	140	0.14	0.04	
11	Unnamed	217.46	1520+32	24"	CMP	6	50	0.01	0.01	
11	Unnamed	217.47	1520+75	24"	CMP	6	0	0.00	0.01	
12	Unnamed	217.38	1524+80	30"	CMP	5	52	0.01	0.00	
13	Unnamed	217.26	1530+85	36"	CMP	6	58	0.01	0.01	
14	Unnamed	217.14	1537+50	8'x7"	CBC	25	118	0.07	0.02	
15	Miami Wash	217.05	1542+00	200'	Bridge	200	90	0.41	0.18	
16	Unnamed	217.02	1543+75	2'-48"	CMP	30-50	210	0.17	0.05	
17	Unnamed	216.98	1545+83	2'-8'x7"	CBC	15-50	70	0.09	0.12	
18	Unnamed	216.85	1552+45	24"	CMP	8	270	0.05	0.01	
19	Unnamed	216.85	1552+80	8'x7"	CBC	12	0	0.00	0.01	
20	Unnamed	216.82	1554+00	2'-4'x10'	CBC	15	76	0.03	0.01	
21	Unnamed	216.58	1566+75	2'-42"	CMP	20	95	0.04	0.02	
22	Unnamed	216.52	1570+20	36"	CMP	10	93	0.02	0.01	
23	Unnamed	216.48	1571+90	2'-36"	CMP	21	102	0.05	0.02	
24	Unnamed	216.40	1576+15	3'-36"	CMP	29	78	0.05	0.03	
25	Unnamed	216.37	1578+15	3'-36"	CMP	21	75	0.04	0.02	
26	Unnamed	216.31	1581+25	24"	CMP	3	45	0.00	0.00	
27	Unnamed	216.21	1586+60	3'-42"	CMP	27	137	0.08	0.02	

* Calculated assuming a total of 40 linear feet of disturbance

[†] Wash number designation not included in original approved jurisdictional delineation

¹ CBC=Concrete Box Culvert

² CMP=Corrugated Metal Pipe

³ NA=Not Applicable

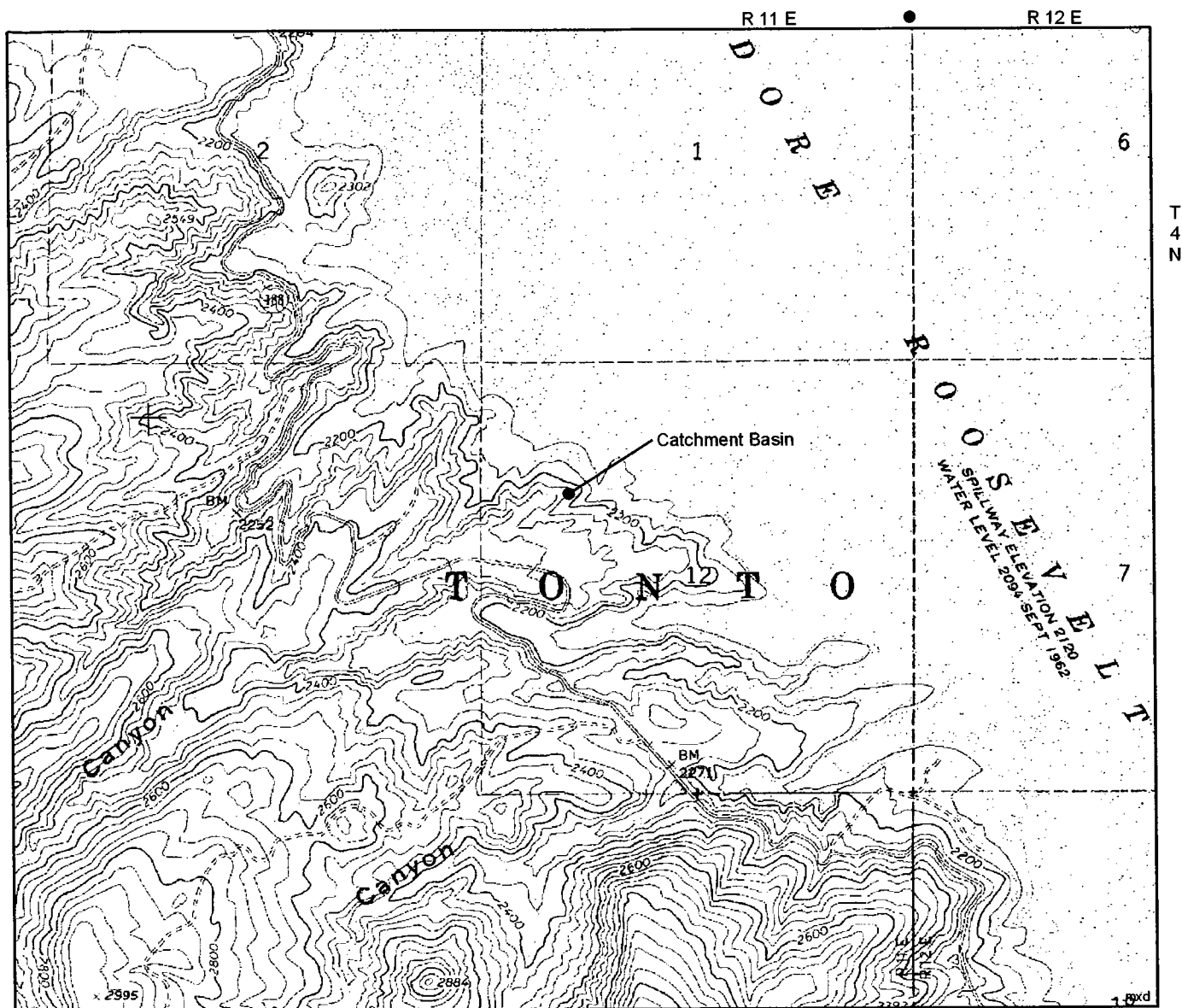
Table 1. Wash Summary

SR 188, Wheatfields to US 80

USACE File No.: 2003-00451-CJL

TRACS No.: 188 GI 214 H6155 01C

ADOT Project No.: STP-188-A(001)P



Source: USGS 7.5' Quadrangle Theodore Roosevelt Dam, Ariz. (1964)

Key

- Catchment Basin

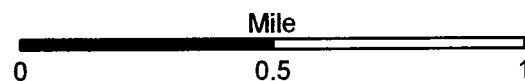


Figure 6b. Water Catchment Mitigation Map

SR 188, Wheatfields to US 60
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